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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/629,680	Applicant(s) HAMMOND ET AL.
	Examiner BRENT STACE	Art Unit 2161

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If no period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED. (35 U.S.C. § 133).

Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 04 September 2008.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-9 and 30-81 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-9 and 30-81 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 04 January 2007 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
 3) Information Disclosure Statement(s) (PTO/SB/08)
 Paper No(s)/Mail Date _____

4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date _____
 5) Notice of Informal Patent Application
 6) Other: _____

DETAILED ACTION

Remarks

1. This communication is responsive to the amendment filed February 11th, 2008. Claims 1-9 and 30-81 are pending. In the amendment filed February 11th, 2008, Claims 1-9 and 30-81 are amended, and Claims 1, 6, 9, 55, 64, and 73 are independent. The examiner acknowledges that no new matter was introduced and the claims are supported by the specification. This action is made FINAL.

Response to Arguments

2. The Applicant's arguments filed February 11th, 2008 with respect to Claims 1-9 and 30-81 have been considered but are not persuasive.

3. As to the applicant's arguments with respect to Claims 64-72 for the 112 rejection that allegedly "**the first representative text item**," was recited in the preamble the examiner respectfully disagrees. The preamble recites "representative text items" not "the first representative text items." The applicant could strikethrough "the" in the phrase "the first representative text items" (it should be noted that "the" is not recited in the similar phrases in the other independent claims).

4. As to the applicant's arguments with respect to Claims 1-9 and 30-81 for the prior art(s) allegedly not teaching "**a first weight**" and "**a second weight**." **Each of these weights has a "different" "magnitude" that is "based on" a "statistical value indicative of a [respective] number of occurrences of the stylistic attribute",**" the

examiner respectfully disagrees. Budzik, p. 4, col. 2, section 4.1 was used to reject the associated mostly claimed limitations. In the cited section (that includes Fig. 4), many different weights are taught (e.g. preliminary weight-“weight” in pseudocode, final weight-“weight(w)” in pseudocode, and term-weight pairs). At least the preliminary weight can be seen as the first weight, and the final weight can be seen as a second weight. Since the preliminary weight is used to calculate the final weight, both the first and second weight are of different magnitudes (see Fig. 4). Additionally, because of this dependence, both of these weights are at least based on a statistical value (numTerms and maxCount) that is indicative of a respective number of occurrences of the stylistic attribute.

5. As to the applicant’s arguments with respect to Claims 1-9 and 30-81 for the prior art(s) allegedly not teaching “**the adaptive weight system**,” the examiner respectfully disagrees. The applicant submits that in Budzik “if a term is emphasized, its preliminary weight is double the original preliminary weight” (Remarks dated 8/29/07, p. 15, and Budzik, p.4, section 4.1, end of second to last paragraph). This doubling of emphasized terms is a form of adaptive weighting since only emphasized terms are given more weight (Budzik changes the weights based on the emphasis of the terms, or, in other words, Budzik adapts the weights of the terms based on their emphasis). Additionally, Budzik p. 4, col. 2 explains the weighting process in that first the words get a preliminary weight (at least this preliminary weight can be seen as adaptive), then this preliminary weight is doubled and used to form the final weight for the term. The preliminary weight

can be seen as adaptive because it changes based on the document content as discussed in Budzik, p. 4, second to last paragraph.

6. As to the applicant's arguments with respect to Claims 1-9 and 30-81 for the prior art(s) allegedly not teaching "**the occurrence frequency of a field...to determine an associated weighting magnitude for that field type,**" the examiner respectfully disagrees. Since this argument is not claimed subject matter, the examiner can only guess that the applicant is arguing that the prior art(s) do not teach the "**computing a first statistical value indicative of a first number of occurrences of the stylistic attribute in the first active computer task; for each of the first plurality of text items, assigning a first weight with a first magnitude that is based on the first statistical value and the stylistic attribute**" limitations that were both mapped to Budzik, p. 4, col. 2, section 4.1. As Budzik teaches in the cited section, "maxCount is defined as the maximum number of times any one word has appeared in the document...and pos(w) contains a list of position-style pairs for a given word w." MaxCount is the number of occurrences of a word and pos(w) indicates the word's stylistic attribute/position. Fig. 4 (described as both Fig. 3 and 4 in the reference) is pseudocode for assigning weight to a term of a document. This weight uses the maxCount (occurrence/ first statistical value) and pos(w) (stylistic attribute) to assign the weight (with a magnitude value) for a term/text item(s). As such it appears that Budzik teaches the claimed "computing a first statistical value indicative of a first number of occurrences of the stylistic attribute in the first active computer task; for each of the first plurality of text items, assigning a first weight with a first magnitude that is based on the

first statistical value and the stylistic attribute" limitations. Since Budzik teaches the limitations, Budzik is seen as teaching the argument. In the argument above, "field" can be seen as a "term" in Budzik. As such, Budzik is also seen as teaching the other associated argument that Budzik allegedly does not teach "the use of a field count...as a basis for a weighing algorithm."

7. The other claims argued merely because of a dependency on a previously argued claim(s) in the arguments presented to the examiner, filed February 11th, 2008, are moot in view of the examiner's interpretation of the claims and art and are still considered rejected based on their respective rejections from at least a prior Office action (part(s) of recited again below).

Response to Amendment

Claim Rejections - 35 USC § 112

8. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

9. Claims 64-72 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

10. Claim 64 recites the limitation "the first representative text items" on line 20. There is insufficient antecedent basis for this limitation in the claims. This rejection propagates downward through dependent Claims 65-72.

Claim Rejections - 35 USC § 102

11. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

12. Claims 1-3, 5-9, 30-37, 39, 40, 42, 43, 45, 46, 48, 49, 51, 52, 54, 55, 57, 60, 61, 63, 64, 66, 69, 70, 72, 73, 75, 78, 79, and 81 are rejected under 35 U.S.C. 102(b) as being anticipated by “User Interactions with Everyday Applications as Context for Just-in-time Information Access” (Budzik et al.) (in an Applicant’s IDS).

Claim 1 can be mapped to Budzik as follows: “An adaptive method for obtaining representative text items from a plurality of text items in active computer tasks, [Budzik, p. 3, section 3] the method comprising:

- receiving first information indicative of a first active computer task, the first information including a first plurality of text items [Budzik, p. 3, section 4] and a stylistic attribute associated with a first text item in the first plurality of text items; [Budzik, p. 4, section 4.1]
- computing a first statistical value indicative of a first number of occurrences of the stylistic attribute in the first active computer task; [Budzik, p. 4, col. 2, section 4.1]
- for each of the first plurality of text items, assigning a first weight with a first magnitude that is based on the first statistical value and the stylistic attribute; [Budzik, p. 4, col. 2, section 4.1]

- ranking the first plurality of text items based on the first weight assigned to each of the first plurality of text items to produce a first plurality of ranked text items; [Budzik, p. 4, col. 2, section 4.1]
- generating and storing first representative text items based on the first plurality of ranked text items; [Budzik, p. 3, section 3 with Budzik, pgs. 4-5, section 4.2 with Budzik, p. 4, col. 2, section 4.1]
- wherein the first active computer task is a task other than entering search terms for the purpose of retrieving information" [Budzik, p. 3, section 3]
- receiving second information indicative of a second active computer task, [Budzik, p. 3, section 4 with Budzik, p. 4, col. 2, section 4.1] the second information including a second plurality of text items [Budzik, p. 3, section 4] and the stylistic attribute associated with a second text item in the second plurality of text items; [Budzik, p. 4, section 4.1]
- computing a second statistical value indicative of a second number of occurrences of the stylistic attribute in the second active computer task; [Budzik, p. 4, col. 2, section 4.1]
- for each of the second plurality of text items, assigning a second weight with a second magnitude that is based on the second statistical value and the stylistic attribute, [Budzik, p. 4, col. 2, section 4.1] the second magnitude being different than the first magnitude; [Budzik, p. 4, col. 2, section 4.1]

- ranking the second plurality of text items based on the second weight assigned to each of the second plurality of text items to produce a second plurality of ranked text items; [Budzik, p. 4, col. 2, section 4.1] and
- generating and storing second representative text items based on the second plurality of ranked text items; [Budzik, p. 3, section 3 with Budzik, pgs. 4-5, section 4.2 with Budzik, p. 4, col. 2, section 4.1]
- wherein the second active computer task is a task other than entering search terms for the purposed of retrieving information" [Budzik, p. 3, section 3].

Claim 2 can be mapped to Budzik as follows: "The method of claim 1, wherein the stylistic attribute includes at least one of the font style, line height, font size and associated hyperlink" [Budzik, p. 4, section 4.1].

Claim 3 can be mapped to Budzik as follows: "The method of claim 2, wherein the first weight assigned to at least one of the first plurality of text items is increased in response to the text item being located in a specific region of the first active computer task" [Budzik, p. 4, section 4.1].

Claim 5 can be mapped to Budzik as follows: "The method of claim 1, further comprising forming a plurality of search terms based on the first plurality of ranked text items" [Budzik, p. 4, col. 2, section 4.1].

Claim 6 encompasses substantially the same scope of the invention as that of Claim 1, in addition to a system and some elements for performing the method steps of Claim 1. Therefore, Claim 6 is rejected for the same reasons as stated above with

respect to Claim 1. Additionally, Claim 6 recites some elements not found in Claim 1, but can still be mapped to the same reference(s) as used in Claim 1 as shown below.

- “a data processor for processing data; [Budzik, p. 1 with Budzik, p. 3]
- a data storage device for storing instructions; [Budzik, p. 1 with Budzik, p. 3] and
- a data transmission path coupled to the data processor and the data storage device; [Budzik, p. 1 with Budzik, p. 3]
- wherein the instructions, when executed by the data processor, controls the data processing system to perform the machine-implemented steps of” [Budzik, p. 1 with Budzik, p. 3].

Claims 7 and 8 encompass substantially the same scope of the invention as that of Claims 2 and 5, respectfully, in addition to a system and some elements for performing the method stepd of Claims 2 and 5, respectfully. Therefore, Claims 7 and 8 are rejected for the same reasons as stated above with respect to Claims 2 and 5, respectfully.

Claim 9 encompasses substantially the same scope of the invention as that of Claim 1, in addition to a medium and some instructions for performing the method steps of Claim 1. Therefore, Claim 9 is rejected for the same reasons as stated above with respect to Claim 1.

Claim 30 can be mapped to Budzik as follows: “The method of claim 1 further including the step of determining properties of the first active computer task;

- wherein the first weight is tunable based on the properties of the first active computer task.” [Budzik, p. 4, section 4.1].

Claim 31 can be mapped to Budzik as follows: "The method of claim 30, wherein the properties of the first active computer task include at least one of application software being employed to perform the first active computer task, a type of the first active computer task, a genre of the first active computer task, attributes associated with a user manipulating the first active computer task, properties of an information source of which a search will be conducted, and a state of the first active computer task" [Budzik, p. 3].

Claims 32 and 33 encompass substantially the same scope of the invention as that of Claims 30 and 31, respectfully, in addition to a system and some elements for performing the method steps of Claims 30 and 31, respectfully. Therefore, Claims 32 and 33 are rejected for the same reasons as stated above with respect to Claims 30 and 31, respectfully.

Claims 34 and 35 encompass substantially the same scope of the invention as that of Claims 30 and 31, respectfully, in addition to a medium and some instructions for performing the method steps of Claims 30 and 31, respectfully. Therefore, Claims 34 and 35 are rejected for the same reasons as stated above with respect to Claims 30 and 31, respectfully.

Claim 36 encompasses substantially the same scope of the invention as that of Claim 2, in addition to a method and some steps for performing the method steps of Claim 2. Therefore, Claim 36 is rejected for the same reasons as stated above with respect to Claim 2.

Claim 37 can be mapped to Budzik as follows: "The method of claim 1, wherein the stylistic attribute includes at least one of a list element, a heading, a table heading, a table cell, a navigation bar, a menu, a header, and a footer" [Budzik, p. 4, col. 1, section 4.1].

Claim 39 can be mapped to Budzik as follows: "The method of claim 1, wherein assigning the first weight is based on at least one of a document genre, a document type, and a document subject matter" [Budzik, p. 4, section 4.1].

Claim 40 can be mapped to Budzik as follows: "The method of claim 1, wherein assigning the first weight is based on at least one of a genre of the first active computer task, a type of the first active computer task, and a subject matter of the first active computer task" [Budzik, p. 4, section 4.1].

Claim 42 can be mapped to Budzik as follows: "The method of claim 1, wherein assigning the first weight is based on a location of a document associated with the first active computer task, the location being determined by at least one of an associated URL, a file name, a directory name, and a string indicative of file location" [Budzik, p. 4, section 4.1].

Claims 43, 45, 46, and 48 encompass substantially the same scope of the invention as that of Claims 37, 39, 40, and 42, respectfully, in addition to a system and some elements for performing the method steps of Claims 37, 39, 40, and 42, respectfully. Therefore, Claims 43, 45, 46, and 48 are rejected for the same reasons as stated above with respect to Claims 37, 39, 40, and 42, respectfully.

Claims 49, 51, 52, and 54 encompass substantially the same scope of the invention as that of Claims 37, 39, 40, and 42, respectfully, in addition to a medium and some instructions for performing the method steps of Claims 37, 39, 40, and 42, respectfully. Therefore, Claims 49, 51, 52, and 54 are rejected for the same reasons as stated above with respect to Claims 37, 39, 40, and 42, respectfully.

Claim 55 encompasses substantially the same scope of the invention as that of Claim 1, in addition to a method and some steps for performing the method steps of Claim 1. Therefore, Claim 55 is rejected for the same reasons as stated above with respect to Claim 1 (where the field attribute is equivalent to the stylistic attribute).

Claim 57 can be mapped to Budzik as follows: "The method of claim 55, wherein the field attribute includes a web page address field" [Budzik, p. 4, section 4.1].

Claims 60, 61, and 63 encompass substantially the same scope of the invention as that of Claims 39, 40, and 42, respectfully, in addition to a method and some steps for performing the method steps of Claims 39, 40, and 42, respectfully. Therefore, Claims 60, 61, and 63 are rejected for the same reasons as stated above with respect to Claims 39, 40, and 42, respectfully.

Claim 64 encompasses substantially the same scope of the invention as that of Claim 1, in addition to a system and some elements for performing the method steps of Claim 1. Therefore, Claim 64 is rejected for the same reasons as stated above with respect to Claim 1 (where the field attribute is equivalent to the stylistic attribute and using the additional mappings shown in the rejection to Claim 6).

Claim 66 encompasses substantially the same scope of the invention as that of Claim 57, in addition to a system and some elements for performing the method steps of Claim 57. Therefore, Claims 66 is rejected for the same reasons as stated above with respect to Claim 57.

Claims 69, 70, and 72 encompass substantially the same scope of the invention as that of Claims 39, 40, and 42, respectfully, in addition to a system and some elements for performing the method steps of Claims 39, 40, and 42, respectfully. Therefore, Claims 69, 70, and 72 are rejected for the same reasons as stated above with respect to Claims 39, 40, and 42, respectfully.

Claim 73 encompasses substantially the same scope of the invention as that of Claim 1, in addition to a medium and some instructions for performing the method steps of Claim 1. Therefore, Claim 73 is rejected for the same reasons as stated above with respect to Claim 1 (where the field attribute is equivalent to the stylistic attribute).

Claim 75 encompasses substantially the same scope of the invention as that of Claim 57, in addition to a medium and some instructions for performing the method steps of Claim 57. Therefore, Claim 75 is rejected for the same reasons as stated above with respect to Claim 57.

Claims 78, 79, and 81 encompass substantially the same scope of the invention as that of Claims 39, 40, and 42, respectfully, in addition to a medium and some instructions for performing the method steps of Claims 39, 40, and 42, respectfully. Therefore, Claims 78, 79, and 81 are rejected for the same reasons as stated above with respect to Claims 39, 40, and 42, respectfully.

Claim Rejections - 35 USC § 103

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

14. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

15. Claims 4, 59, 68, and 77 are rejected under 35 U.S.C. 103(a) as being unpatentable over "User Interactions with Everyday Applications as Context for Just-in-time Information Access" (Budzik et al.) in view of "SUITOR: An Attentive Information System" (Maglio et al.) (both in Applicant's IDS(s)).

For **Claim 4**, Budzik teaches: "The method of claim 3."

Budzik discloses the above limitation but does not expressly teach: "...wherein the specific region is a region of the first active computer task that is selected by a user."

With respect to Claim 4, an analogous art, Maglio, teaches: "...wherein the specific region is a region of the first active computer task that is selected by a user" [Maglio, p. 170, col. 1, section 1].

It would have been obvious to one of ordinary skill in the art at the time of invention having the teachings of Maglio and Budzik before him/her to combine Maglio with Budzik because both inventions are directed towards observing user actions with information resources, model user information states, and suggest information that might be helpful to users.

Maglio's invention would have been expected to successfully work well with Budzik's invention because both inventions use computers that monitor users. Budzik discloses user interactions with everyday applications as context for just-in-time information access (title) comprising monitoring documents of, for example, text editors, or web pages. However, Budzik does not expressly disclose specific region is a region of the first active computer task that is selected by a user. Maglio discloses suitor: an attentive information system (title) comprising a means to monitor the user's eye-gaze to determine where on the screen the user is reading (this determines a specific region of the active computer task that is selected by the user (via eye-gazing)).

It would have been obvious to one of ordinary skill in the art at the time of invention having the teachings of Maglio and Budzik before him/her to take the eye-

gazing from Maglio and install it into the teachings of Budzik, thereby offering the obvious advantage of determining where on the screen the user is actually reading, thereby extracting and disambiguating meaningful information (demonstrated in Maglio, p. 171, col. 1).

For **Claim 59**, Budzik teaches: "The method of claim 55."

Budzik discloses the above limitation but does not expressly teach: "...wherein the field attribute includes a product name."

With respect to Claim 59, an analogous art, Maglio, teaches: "...wherein the field attribute includes a product name" [Maglio, pgs. 170-171, cols. 2-1].

It would have been obvious to one of ordinary skill in the art at the time of invention having the teachings of Maglio and Budzik before him/her to combine Maglio with Budzik because both inventions are directed towards observing user actions with information resources, model user information states, and suggest information that might be helpful to users.

Maglio's invention would have been expected to successfully work well with Budzik's invention because both inventions use computers that monitor users. Budzik discloses user interactions with everyday applications as context for just-in-time information access (title) comprising monitoring documents of, for example, text editors, or web pages. However, Budzik does not expressly disclose analyzing text for product name(s). Maglio discloses a suitor: an attentive information system (title) comprising finding product name(s).

It would have been obvious to one of ordinary skill in the art at the time of invention having the teachings of Maglio and Budzik before him/her to take the product name discoveries from Maglio and install it into the teachings of Budzik, thereby offering the obvious advantage of displaying context-based search results related to the product name(s) to satisfy information needs (Maglio, abst).

Claim 68 encompasses substantially the same scope of the invention as that of Claim 59, in addition to a system and some elements for performing the method steps of Claim 59. Therefore, Claims 68 is rejected for the same reasons as stated above with respect to Claim 59.

Claim 77 encompasses substantially the same scope of the invention as that of Claim 59, in addition to a medium and some instructions for performing the method steps of Claim 59. Therefore, Claim 77 is rejected for the same reasons as stated above with respect to Claim 59.

16. Claims 38, 44, and 50 are rejected under 35 U.S.C. 103(a) as being unpatentable over "User Interactions with Everyday Applications as Context for Just-in-time Information Access" (Budzik et al.) in view of "Query-Free News Search" (Henzinger et al.) (both in Applicant's IDS(s)).

For **Claim 38**, Budzik teaches: "The method of claim 1, wherein the stylistic attribute."

Budzik discloses the above limitation but does not expressly teach: "...includes a size of a bounding rectangle."

With respect to Claim 38, an analogous art, Henzinger, teaches: "...includes a size of a bounding rectangle" [Henzinger, p. 1, section 1].

It would have been obvious to one of ordinary skill in the art at the time of invention having the teachings of Henzinger and Budzik before him/her to combine Henzinger with Budzik because both inventions are directed towards making suggestions from examining text.

Henzinger's invention would have been expected to successfully work well with Budzik's invention because both inventions query resources based on examined text and display the result(s) to the user. Budzik discloses user interactions with everyday applications as context for just-in-time information access (title) comprising analyzing text from, for example, web pages and text editors. However, Budzik does not expressly disclose a size of a bounding rectangle. Henzinger discloses a query-free news search (title) comprising extracting queries from closed captions (which include a size of a bounding rectangle).

It would have been obvious to one of ordinary skill in the art at the time of invention having the teachings of Henzinger and Budzik before him/her to take the extracting of queries from closed captions from Henzinger and install it into the teachings of Budzik, thereby offering the obvious advantage of being able to show articles related based on any incoming text (and in a TV setting, being able to show related articles of a TV program, Henzinger, p. 8, section 4.1).

Claims 44 and 50 encompass substantially the same scope of the invention as that of Claim 38, in addition to a system and some elements or a medium some

instructions for performing the method steps of Claim 38. Therefore, Claims 44 and 50 are rejected for the same reasons as stated above with respect to Claim 38.

17. Claims 41, 47, 53, 62, 71, and 80 are rejected under 35 U.S.C. 103(a) as being unpatentable over "User Interactions with Everyday Applications as Context for Just-in-time Information Access" (Budzik et al.) (in Applicant's IDS) in view of U.S. Patent No. 7,206,791 (Hind et al.).

For Claim 41, Budzik teaches: "The method of claim 1, wherein."

Budzik discloses the above limitation but does not expressly teach:

- "...assigning the first weight is based on a user's role in an organization."

With respect to Claim 41, an analogous art, Hind, teaches:

- "...assigning the first weight is based on a user's role in an organization"

[Hind, col. 12, lines 1-8].

It would have been obvious to one of ordinary skill in the art at the time of invention having the teachings of Hind and Budzik before him/her to combine Hind with Budzik because both inventions are directed towards assigning weights for search operations.

Hind's invention would have been expected to successfully work well with Budzik's invention because both inventions use computers searching for data. Budzik discloses user interactions with everyday applications as context for just-in-time information access (title) comprising analyzing text from, for example, web pages and text editors. However, Budzik does not expressly disclose assigning weight based on

a user's role. Hind discloses a system and method for managing and securing meta data (title) comprising assigning a weight based on a user's role in an organization.

It would have been obvious to one of ordinary skill in the art at the time of invention having the teachings of Hind and Budzik before him/her to take the assigning a weight based on a user's role in an organization from Hind and install it into the teachings of Budzik, thereby offering the obvious advantage of determining search criteria a search to find information.

Claims 47, 53, 62, 71, and 80's limitation(s) have already been met by Claim 41's limitation(s). Therefore, Claims 47, 53, 62, 71, and 80 are rejected for the same reason(s) as stated above with respect to Claim 41.

18. Claims 56, 58, 65, 67, 74, and 76 are rejected under 35 U.S.C. 103(a) as being unpatentable over "User Interactions with Everyday Applications as Context for Just-in-time Information Access" (Budzik et al.) in view of U.S. Patent No. 6,236,768 (Rhodes et al.) (both in Applicant's IDS(s)).

For **Claim 56**, Budzik teaches: "The method of claim 55, wherein the field attribute includes at least one of."

Budzik discloses the above limitation but does not expressly teach: "...an email sender field, an email recipient field, a signature field, and a salutation field."

With respect to Claim 56, an analogous art, Rhodes, teaches: "...an email sender field, an email recipient field, a signature field, and a salutation field" [Rhodes, cols. 10-11, lines 51-21].

It would have been obvious to one of ordinary skill in the art at the time of invention having the teachings of Rhodes and Budzik before him/her to combine Rhodes with Budzik because both inventions are directed towards searching for documents based on context(s).

Rhodes's invention would have been expected to successfully work well with Budzik's invention because both inventions use databases to search for documents and read/extract information from documents. Budzik discloses user interactions with everyday applications as context for just-in-time information access (title) comprising analyzing text from, for example, web pages and text editors. However, Budzik does not expressly disclose including at least one of an email sender field, an email recipient field, a signature field, and a salutation field. Rhodes discloses a method and apparatus for automated, context-dependent retrieval of information (title) comprising analyzing at least the from and date fields from emails.

It would have been obvious to one of ordinary skill in the art at the time of invention having the teachings of Rhodes and Budzik before him/her to take the email analysis from Rhodes and install it into the teachings of Budzik, thereby offering the obvious advantage of recognizing email documents as also text files thereby obtaining further context(s) for use in searching.

For **Claim 58**, Budzik teaches: "The method of claim 55, wherein the field attribute includes at least one of."

Budzik discloses the above limitation but does not expressly teach: "...a document template, a header, a footer, a page number, a title, an author, a byline, and a date published."

With respect to Claim 58, an analogous art, Rhodes, teaches: "...a document template, a header, a footer, a page number, a title, an author, a byline, and a date published" [Rhodes, cols. 10-11, lines 51-21].

It would have been obvious to one of ordinary skill in the art at the time of invention having the teachings of Rhodes and Budzik before him/her to combine Rhodes with Budzik because both inventions are directed towards searching for documents based on context(s).

Rhodes's invention would have been expected to successfully work well with Budzik's invention because both inventions use databases to search for documents and read/extract information from documents. Budzik discloses user interactions with everyday applications as context for just-in-time information access (title) comprising analyzing text from, for example, web pages and text editors. However, Budzik does not expressly disclose including at least one of an email sender field, an email recipient field, a signature field, and a salutation field. Rhodes discloses a method and apparatus for automated, context-dependent retrieval of information (title) comprising analyzing at least the from and date fields from emails.

It would have been obvious to one of ordinary skill in the art at the time of invention having the teachings of Rhodes and Budzik before him/her to take the email analysis from Rhodes and install it into the teachings of Budzik, thereby offering the

obvious advantage of recognizing email documents as also text files thereby obtaining further context(s) for use in searching.

Claims 65 and 67 encompass substantially the same scope of the invention as that of Claims 56 and 58, respectfully, in addition to a system and some elements for performing the method steps of Claims 56 and 58, respectfully. Therefore, Claims 65 and 67 are rejected for the same reasons as stated above with respect to Claims 56 and 58, respectfully.

Claims 74 and 76 encompass substantially the same scope of the invention as that of Claims 56 and 58, respectfully, in addition to a medium and some instructions for performing the method steps of Claims 56 and 58, respectfully. Therefore, Claims 74 and 76 are rejected for the same reasons as stated above with respect to Claims 56 and 58, respectfully.

19. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Conclusion

20. Any prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant is advised that, although not used in the rejections above, prior art cited on any PTO-892 form and not relied upon is considered materially relevant to the applicant's claimed invention and/or portions of the claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brent S. Stace whose telephone number is 571-272-8372 and fax number is 571-273-8372. The examiner can normally be reached on M-F 9am-5:30pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Apu M. Mofiz can be reached on 571-272-4080. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/BRENT STACE/
Examiner, Art Unit 2161

/Apu M Mofiz/
Supervisory Patent Examiner, Art Unit 2161